

STATE WATER RESOURCES CONTROL BOARD
DIVISION OF WATER RIGHTS

PERMIT FOR DIVERSION AND USE OF WATER

PERMIT 20308Application 27382 of Colusa CountyCourthouse, Colusa, CA 95932filed on July 8, 1982, has been approved by the State Water Resources Control Board SUBJECT TO VESTED RIGHTS and to the limitations and conditions of this Permit.

Permittee is hereby authorized to divert and use water as follows:

1. Source:

Tributary to:

Stony Creek UnderflowSacramento River

2. Location of point of diversion:	40-acre subdivision of public land survey or projection thereof	Section	Town- ship	Range	Base and Meridian
(1) South 140 feet and West 1,155 feet from center of Section 29	NE $\frac{1}{4}$ of SW $\frac{1}{4}$	29	18N	6W	MD
(2) South 400 feet and West 1,155 feet from Center of Section 29	NE $\frac{1}{4}$ of SW $\frac{1}{4}$	29	18N	6W	MD

County of Colusa

3. Purpose of use:	4. Place of use:	Section	Town- ship	Range	Base and Meridian	Acres
Fire Protection						
Municipal	Stonyford Service Area within Sections 29, 32, 33		18N	6W	MD	
	and Section 5		17N	6W	MD	

The place of use is shown on map filed with the State Water Resources Control Board.

5. The water appropriated shall be limited to the quantity which can be beneficially used and shall not exceed 0.2 cubic foot per second to be diverted from September 15 of each year to April 15 of the succeeding year. The maximum amount diverted under this permit shall not exceed 10 acre-feet per annum. (0000005)
6. The amount authorized for appropriation may be reduced in the license if investigation warrants. (0000006)
8. Complete application of the water to the authorized use shall be made by December 31, 1995. (0000009)
9. Progress reports shall be submitted promptly by permittee when requested by the State Water Resources Control Board until license is issued. (0000010)
10. Permittee shall allow representatives of the State Water Resources Control Board and other parties, as may be authorized from time to time by said Board, reasonable access to project works to determine compliance with the terms of this permit. (0000011)
11. Pursuant to California Water Code Sections 100 and 275, and the common law public trust doctrine, all rights and privileges under this permit and under any license issued pursuant thereto, including method of diversion, method of use, and quantity of water diverted, are subject to the continuing authority of the State Water Resources Control Board in accordance with law and in the interest of the public welfare to protect public trust uses and to prevent waste, unreasonable use, unreasonable method of use or unreasonable method of diversion of said water.

The continuing authority of the Board may be exercised by imposing specific requirements over and above those contained in this permit with a view to eliminating waste of water and to meeting the reasonable water requirements of permittee without unreasonable draft on the source. Permittee may be required to implement a water conservation plan, features of which may include but not necessarily be limited to: (1) reusing or reclaiming the water allocated; (2) using water reclaimed by another entity instead of all or part of the water allocated; (3) restricting diversions so as to eliminate agricultural tailwater or to reduce return flow; (4) suppressing evaporation losses from water surfaces; (5) controlling phreatophytic growth; and (6) installing, maintaining, and operating efficient water measuring devices to assure compliance with the quantity limitations of this permit and to determine accurately water use as against reasonable water requirements for the authorized project. No action will be taken pursuant to this paragraph unless the Board determines, after notice to affected parties and opportunity for hearing, that such specific requirements are physically and financially feasible and are appropriate to the particular situation.

The continuing authority of the Board also may be exercised by imposing further limitations on the diversion and use of water by the permittee in order to protect public trust uses. No action will be taken pursuant to this paragraph unless the Board determines, after notice to affected parties and opportunity for hearing, that such action is consistent with California Constitution Article X, Section 2; is consistent with the public interest and is necessary to preserve or restore the uses protected by the public trust. (0000012)

12. The quantity of water diverted under this permit and under any license issued pursuant thereto is subject to modification by the State Water Resources Control Board if, after notice to the permittee and an opportunity for hearing, the Board finds that such modification is necessary to meet water quality objectives in water quality control plans which have been or hereafter may be established or modified pursuant to Division 7 of the Water Code. No action will be taken pursuant to this paragraph unless the Board finds that (1) adequate waste discharge requirements have been prescribed and are in effect with respect to all waste discharges which have any substantial effect upon water quality in the area involved, and (2) the water quality objectives cannot be achieved solely through the control of waste discharges. (0000013)

13. This permit shall not be construed as conferring upon the permittee right of access to the point of diversion. (0000022)

14. This permit is subject to prior downstream rights, including those defined in the Angle Decree, Equity No. 30. Permittee shall allow access to project facilities to the Watermaster appointed by the United States District Court for the Eastern District of California to determine compliance with the terms of this permit. In diverting and storing water, permittee shall comply with orders of the Watermaster, including orders to release water stored adverse to prior downstream rights, unless otherwise directed by the State Water Resources Control Board or its representatives. Permittee shall pay any assessments for its proportionate share of the cost of watermaster service which have been approved by the United States District Court. (0000092)

15. Permittee shall implement the following water conservation measures:

- (1) Contract with County School offices for inclusion of the Department of Water Resources Water Awareness programs in school curriculum.
- (2) Encourage adoption of local water conservation policies and ordinances. (0000029)

16. The issuance of this permit shall not be construed as placing a limitation on any riparian right or decreed right to the waters of Stoney Creek held by the permittee. (0000115)

17. During the season specified in this permit, the total quantity and rate of water diverted and used under this permit and under permittee's claimed or assigned decreed rights under the Angle Decree, Equity No. 30, U.S. District Court for the Eastern District of California, for the place of use specified in the permit shall not exceed the quantity and rate of diversion specified in this permit.

Permittee shall forfeit all rights under this permit if permittee transfers all or any part of the claimed existing right for the place of use covered by this permit to another place of use without the prior approval of the Board.

This permit shall not be construed as relieving permittee of any legal obligations in connection with its exercise of the claimed decreed rights. (0000021)

18. Diversion of water under this permit is allowed only so long as a water exchange contract with the United States Bureau of Reclamation is in effect. A copy of this contract shall be filed with the State Water Resources Control Board. (0240300)

19. The right to use water for fire protection purposes authorized by this permit is limited to that quantity necessary for actual fire fighting and to maintain an adequate reserve for fire protection. (0000116)

This permit is issued and permittee takes it subject to the following provisions of the Water Code:

Section 1390. A permit shall be effective for such time as the water actually appropriated under it is used for a useful and beneficial purpose in conformity with this division (of the Water Code), but no longer.

Section 1391. Every permit shall include the enumeration of conditions therein which in substance shall include all of the provisions of this article and the statement that any appropriator of water to whom a permit is issued takes it subject to the conditions therein expressed.

Section 1392. Every permittee, if he accepts a permit, does so under the conditions precedent that no value whatsoever in excess of the actual amount paid to the State therefor shall at any time be assigned to or claimed for any permit granted or issued under the provisions of this division (of the Water Code), or for any rights granted or acquired under the provisions of this division (of the Water Code), in respect to the regulation by any competent public authority of the services or the price of the services to be rendered by any permittee or by the holder of any rights granted or acquired under the provisions of this division (of the Water Code) or in respect to any valuation for purposes of sale to or purchase, whether through condemnation proceedings or otherwise, by the State or any city, city and county, municipal water district, irrigation district, lighting district, or any political subdivision of the State, of the rights and property of any permittee, or the possessor of any rights granted, issued, or acquired under the provisions of this division (of the Water Code).

Dated: MARCH 07 1989

STATE WATER RESOURCES CONTROL BOARD

G. L. Johnson
for Chief, Division of Water Rights